

REMARKS

I. Formal Matters.

Claims 1-11 are currently pending in this application. As a preliminary matter, Applicant thanks the Examiner for considering the references cited via the Information Disclosure Statement (IDS) filed on April 22, 2005, as evidenced by his return of an initialled Form PTO-1449 to the office of the undersigned.

II. Claims.

We note that the Examiner indicates that the arguments presented in the response filed July 14, 2005, overcome the previous rejections of claims 1-11 under 35 U.S.C. §§102(e) and 103(a). However, upon further consideration, the Examiner rejects claims 1-11 on new grounds.

Claims 1-3 are rejected as allegedly being unpatentable over *Sprague* (U.S. Patent No. 5,247,575) in view of *Chen* (U.S. Patent No. 5,978,775) and further in view of *Park* (Published U.S. Patent App. No. 2004/0203382) under 35 U.S.C. §103(a). The Examiner acknowledges

Claim 1. the Examiner acknowledges that *Sprague* and *Chen* fail to disclose a Bluetooth embedded server (OA page 3). Therein the Examiner turns to *Park* to teach this required claim element (OA page 3).

Without commenting on the substantive merits of the Examiner's rejection, Applicants are hereby traversing the prior art rejection of claim 1 by relying on previously perfected claim to

foreign priority. *Park* has a potential 102(a) date corresponding to the publication of Korean Application KR2000/051597. KR2000/051597 was filed on September 1, 2000 and would normally not be published for 18 months, March 1, 2002. A certified English Translation of the priority document was previously filed December 8, 2004. Because Applicant relies on perfection of priority back to January 19, 2001, *Park* cannot be relied upon by the Examiner as a 35 U.S.C. § 102(a) prior art reference. Upon removal of *Park* as a prior art reference, the rejection of claim 1 as being unpatentable over *Sprague* in view of *Chen* and further in view of *Park* 35 U.S.C. § 103(a) fails.

Claims 2 and 3 are asserted as being allowable at least by virtue of their dependence upon an allowable claim.

The Examiner rejects claim 4 as allegedly being unpatentable over *Sprague* under 35 U.S.C. §103(a) in view of *Chen* and *Park* as applied to claim 1, and further in view of *Boesjes* (U.S. Patent No. 6,799,165).

Claim 4 is asserted as being allowable at least by virtue of its dependence upon an allowable claim.

The Examiner rejects claims 5 and 6 as allegedly being unpatentable over *Chen* in view of *Treyz* (U.S. Patent No. 6,587,835) and further in view of *Girard* (U.S. Patent App. No. 2003/0063043 A1) under 35 U.S.C. §103(a).

Claim 5. The Examiner acknowledges that *Chen* fails to teach or suggest that the control method is performed by a terminal via Bluetooth communication. Therein, the Examiner relies on *Treyz* to provide this claim element (OA page 5). The Examiner further acknowledges that *Treyz* fails to teach or suggest a terminal having an embedded Bluetooth function. With respect to the

required claim subject matter of an embedded Bluetooth function, the Examiner relies on *Girard* to teach this element (OA page 6).

Without commenting on the substantive merits of the Examiner's rejection, Applicants are hereby traversing the prior art rejection of claim 5 by relying on previously perfected claim to foreign priority. *Girard* has a an earliest 102 (e) prior art date of September 28, 2001. Applicant relies on perfection of priority back to January 19, 2001, therefore *Girard* cannot be relied upon by the Examiner as a 35 U.S.C. § 102(e) prior art reference. Upon removal of *Girard* as a prior art reference, the rejection of claim 5 as being unpatentable over *Chen* in view of *Treyz* and further in view of *Girard* 35 U.S.C. § 103(a) fails.

Claim 6 is asserted as being allowable at least by virtue of it dependence upon an allowable claim.

The Examiner rejects claim 7 as allegedly being unpatentable over *Chen* in view of *Treyz* and *Girard*, as applied to claim 5 and further in view of in view of *Boesjes* under 35 U.S.C. §103(a).

Claim 7 is asserted as being allowable at least by virtue of it dependence upon an allowable claim.

The Examiner rejects claims 8 and 9 as allegedly being unpatentable over *Chen* under 35 U.S.C. §103(a) in view of *Boesjes* and further in view of *Girard*.

Claim 8. The Examiner acknowledges that *Chen* fails to teach wireless data transmission and therein relies on *Boesjes* to teach this element. However, claim 8 requires short range wireless communication and more specifically requires embedded

Bluetooth function. The Examiner acknowledges that *Boesjes* fails to teach embedded Bluetooth function. Therein, the Examiner relies on *Girard* to provide an embedded Bluetooth server and terminal (OA page 8).

Without commenting on the substantive merits of the Examiner's rejection, Applicants are hereby traversing the prior art rejection of claim 8 by relying on previously perfected claim to foreign priority. *Girard* has an earliest 102 (e) prior art date of September 28, 2001. Applicant relies on perfection of priority back to January 19, 2001, therefore *Girard* cannot be relied upon by the Examiner as a 35 U.S.C. § 102(e) prior art reference. Upon removal of *Girard* as a prior art reference, the rejection of claim 8 as being unpatentable over *Chen* in view of *Boesjes* and further in view of *Girard* 35 U.S.C. § 103(a) fails.

Claim 9 is asserted as being allowable at least by virtue of its dependence upon an allowable claim.

The Examiner rejects claim 10 as allegedly being unpatentable over *Treyz* under 35 U.S.C. § 103(a) in view of *Park*.

Claim 10. The Examiner acknowledges that primary reference *Treyz* fails to teach or suggest embedded Bluetooth function. Therein the Examiner relies on *Park* to teach embedded Bluetooth function, an embedded server, required by claim 10 (OA pages 9-10).

Without commenting on the substantive merits of the Examiner's rejection, Applicants are hereby traversing the prior art rejection of claim 10 by relying on previously perfected claim to foreign priority. *Park* has a potential 102(a) date

corresponding to the publication of Korean Application KR2000/051597.

KR2000/051597 was filed on September 1, 2000 and would normally not be published for 18 months, March 1, 2002. Because Applicant relies on previously perfected claim to priority of January 19, 2001, *Park* cannot be relied upon by the Examiner as a 35 U.S.C. § 102(a) prior art reference. Upon removal of *Park* as a prior art reference, the rejection of claim 10 as being unpatentable over *Treyz* and further in view of *Park* 35 U.S.C. § 103(a) fails.

Claim 11 is rejected as allegedly being unpatentable over *Treyz* in view of *Girard* under 35 U.S.C. § 103(a).

Without commenting on the substantive merits of the Examiner's rejection, Applicants are hereby traversing the prior art rejection of claim 11 by relying on previously perfected claim to foreign priority. *Girard* has a an earliest 102 (e) prior art date of September 28, 2001. Applicant relies on perfection of priority back to January 19, 2001, therefore *Girard* cannot be relied upon by the Examiner as a 35 U.S.C. § 102(e) prior art reference. Upon removal of *Girard* as a prior art reference, the rejection of claim 11 as being unpatentable over *Treyz* in view of *Girard* under 35 U.S.C. § 103(a) fails.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

REQUEST FOR RECONSIDERATION
APPLN. NO. 09/973,046

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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